

IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

RUTH SMITH, Individually and as Widow for the)
Use and Benefit of Herself and the Next Kin of)
Richard Smith, Deceased,)
)
Plaintiff,) Civil No. 3:05-0444
) Judge Aleta A. Trauger
v.) (Dist. Of MA No.
) 1:05-cv-11515PBS)
PFIZER, INC., *et al.*,)
)
Defendants.)

**DECLARATION OF MARK S. CHEFFO IN SUPPORT OF
DEFENDANTS' OPPOSITION TO PLAINTIFF'S MOTION *IN LIMINE* TO
PRECLUDE ANY MENTION AT TRIAL BY DEFENDANTS THAT THE
NEURONTIN PACKAGE INSERT WAS LABELED TO WARN AGAINST
COMPLETED SUICIDE PRIOR TO THE DECEMBER 21, 2005 LABELING CHANGE**

I, Mark S. Cheffo, declare and state as follows:

1. I am a partner with the law firm of Skadden, Arps, Slate, Meagher & Flom LLP, counsel for Defendants Pfizer Inc and Warner-Lambert Company LLC. I make this declaration based on my own personal knowledge and information.
2. Attached as Exhibit A is a true and correct copy of the 1993 FDA Approval Letter for Neurontin.
3. Attached as Exhibit B is a true and correct copy of a Record of FDA Contact, dated October 6, 1993.
4. Attached as Exhibit C is a true and correct copy of the Neurontin Package Insert, dated December 21, 2005.
5. Attached as Exhibit D is a true and correct copy of an e-mail from the FDA, dated November 22, 2005.
6. Attached as Exhibit E is a true and correct copy of the Report of Janet Arrowsmith-Lowe, M.D., dated December 20, 2007.

7. Attached as Exhibit F is a true and correct copy of excerpts from the transcript of the deposition of Alexander Ruggieri, M.D., dated December 5, 2008.

Signed under the penalties of perjury this 27th day of April 2010.


Mark S. Cheffo

CERTIFICATE OF SERVICE

I hereby certify that on this the 27th day of April 2010, I electronically filed the foregoing document with the Clerk of the Court, United States District Court for the Middle District of Tennessee, using the CM/ECF system. True and correct copies of the foregoing documents are being served via the Court's CM/ECF system on the following:

Andrew G. Finkelstein, Esq.
Kenneth B. Fromson, Esq.
Finkelstein & Partners, LLP
1279 Route 300
Newburg, NY 12550

Charles F. Barrett, Esq.
Barrett & Associates, P.A.
6718 Highway 100, Suite 210
Nashville, TN 37205

Dara G. Hegar, Esq.
Ken S. Soh, Esq.
Maura Kolb, Esq.
Robert Leone, Esq.
W. Mark Lanier, Esq.
Lanier Law Firm
6810 FM 1960 West
Houston, TX 77069

/s/ Gerald D. Neenan